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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	NO. CR 15-00290 PJH
)	
Plaintiff,)	ORDER OF DETENTION
)	
v.)	
)	
MAJOR ALEXANDER SESSION, III)	
)	
Defendant.)	
)	
)	

The parties appeared before the Honorable Donna M. Ryu on June 12, 2015 for a detention hearing. Defendant Major Alexander Session, III (defendant) was present and represented by Matthew Dirkes. The United States was represented by Assistant United States Attorney Garth Hire. The United States requested that defendant be detained pending trial because defendant cannot rebut the presumption that he is a danger and a flight risk and because no condition or combination of conditions of release would reasonably assure defendant's appearance and the safety of the community. Pretrial Services recommended that defendant be detained. Upon consideration of the parties' proffers, the court file, and the Pretrial Services Report, the Court finds that the defendant has failed to rebut the presumption that he is a danger and that the government has shown by clear and convincing evidence

1 that the defendant presents a danger to the community. *See* 18 U.S.C. §§ 3142(e) and (f). The Court
2 therefore orders the defendant detained.

3 The Bail Reform Act of 1984, Title 18, United States Code, Sections 3141-50, sets forth the
4 factors which the Court considers in determining whether detention is warranted. In coming to its
5 decision, the Court has considered: (1) the nature and seriousness of the offense charged; (2) the weight
6 of the evidence against the person; (3) the history and characteristics of the person including, among
7 other considerations, employment, past conduct and criminal history, and records of court appearances;
8 and (4) the nature and seriousness of the danger to any person or the community that would be posed by
9 the person's release. 18 U.S.C. § 3142(g).

10 In considering all of these facts and proffers presented at the hearing, as well as the legal
11 presumption that defendant is a danger and a flight risk given the nature of the charges, the Court finds
12 that defendant has failed to rebut the presumption that he should be detained pending trial because: (1)
13 defendant has a criminal history involving violence and narcotics trafficking; (2) defendant has
14 previously violated the conditions of probation; (3) defendant was on probation at the time of the alleged
15 offense; (4) defendant has a probation hold from Alameda County Superior Court pending a probation
16 revocation; (5) defendant is charged with violations involving the smuggling of narcotics through the
17 Oakland airport and the sale of marijuana in Arkansas; and (6) defendant failed to identify any sureties
18 or real property sufficient to rebut the presumption that he is a danger and a flight risk.

19 IT IS HEREBY ORDERED THAT, accordingly, pursuant to Title 18, United States Code,
20 Section 3142:

21 (1) the defendant is committed to the custody of the Attorney General for confinement in a
22 corrections facility;

23 (2) the defendant be afforded reasonable opportunity for private consultation with his counsel;

24 (3) on Order of a court of the United States or on request of any attorney for the government, the
25 person in charge of the corrections facility in which the defendant is confined shall deliver the defendant

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1 to an authorized Deputy United States Marshal for the purpose of any appearance in connection with a
2 court proceeding.

3 IT IS SO ORDERED.

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5 DATED: June 18, 2015



HONORABLE DONNA M. RYU
United States Magistrate Judge